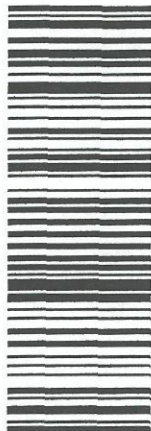


PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



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Sent To Herb Gardner

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HERB GARDNER
MALAGA WATER DISTRICT
PO BOX 249
MALAGA WA 98828-0249

WR/gh CG4-25734C@2 Drought

2. Article Number

7004 1160 0002 6157 3681

COMPLETE THIS SECTION ON DELIVERY

A. Signature Herb Gardner ☐ Agent ☒ Addressee

B. Received by (Printed Name) Herb Gardner C. Date of Delivery 9-2-05

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

September 1, 2005
CERTIFIED MAIL

Herb Gardner
Malaga Water District
PO Box 249
Malaga, WA 98828-0249

Dear Mr. Gardner:

Re: Emergency Drought Permit No. CG4-25734@2 – Malaga Water District

The Three Lakes Water District is completely within the exterior boundary of the Malaga Water District. The Three Lakes Water District is experiencing a water shortfall this year due to drought conditions. The purpose of this proposal to change the place of use of the above-referenced water right is to allow both water districts to intertie their water delivery systems and allow the Malaga Water District to provide water to Three Lakes Water District.

In accordance with the provisions of RCW 43.83B.405, on March 10, 2005, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Department of Ecology is, under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

This temporary authorization is subject to the following limitations and conditions:

This authorization is for two existing wells located within the SE¼ NE¼ of Section 28, T. 22 N., R. 21 E.W.M., Chelan County, Washington.

The instantaneous quantity of water to be withdrawn under this authorization is 1500 gpm.

The annual quantity of water to be withdrawn under this authorization is 336 acre-feet for continuous municipal water supply purposes.

The place of use is described as follows:

The place of use of this water right is the service area described in the Malaga Water District Comprehensive Water System Plan approved by the Washington State Department of Health on June 17, 2004, so long as the Malaga Water District is and remains in compliance with the criteria in RCW 90.03.386(2), AND



FILE COPY

The area served by the Three Lakes Water District, described as that portion of Section 29, T. 22 N., R. 21 E.W.M., Chelan County, State of Washington, described as Three Lakes Country Club Estates, Division No. 1 recorded in Vol. 6 of Plats at pages 71 – 78; Three Lakes Country Club Estates, Division No. 2 recorded in Vol. 6 of Plats at pages 80 – 81; and Three Lakes Country Club Estates, Division No. 3 recorded in Vol. 7 of Plats, pages 23 – 24, AND

That portion of the SE¼ SW¼ lying southwesterly of the upper Malaga Road in Section 29, T. 22 N., R. 21 E.W.M. and the S½ SE¼ of Section 29, T. 22 N., R. 21 E.W.M., except that portion platted as Division No. 1 recorded in Vol. 6 of Plats at pages 71 – 78' Division No. 2 recorded in Vol. 6 of Plats at pages 80 – 81 and Division No. 3 recorded in Vol. 7 of Plats, pages 23 – 24 and the county road right-of-way.

A suitable flow meter approved by the Department of Ecology shall be installed and maintained for each source in accordance with Chapter 173-173 WAC. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being withdrawn, weekly readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology by January 15, 2006.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

This drought emergency authorization expires on December 31, 2005.

You have the right to appeal this decision to the Pollution Control Hearings Board. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this decision, your notice of appeal must contain a copy of the Ecology decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE Rowe Six Bldg 2
PO Box 40903
Lacey WA 98504-0903

Your appeal must also be served on:

The Department of Ecology
Appeals Coordinator
PO Box 47608
Olympia WA 98504-7608

In addition, please send a copy of your appeal to:

Robert F. Barwin
Department of Ecology
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

Sincerely,



Robert F. Barwin, Section Manager
Water Resources Program
Central Region Office

RFB:MS:gh
050901

Enclosures: Flow Meter Requirements
 Your Right To Be Heard Information Sheet

cc: Three Lakes Water District
 Curt Hart, Water Resources Program, HQ



DATE: 8/24/05	JOB NO.: W40
ATTENTION: Mr. Phil Crane	
RE: Malaga Water District; Claim No. G4-25734C	

TO: Department of Ecology
15 West Yakima Ave., Ste. 200
Yakima, WA 98902-3452

Sent Via: US Mail

WE ARE SENDING YOU THE FOLLOWING:

X	Attached		Under Separate Cover Via:						
	Shop Drawings		Prints		Plans		Samples		Specifications
	Copy of Letter		Change Order		Submittals				

COPIES	DATE	NO.	DESCRIPTION
1			Original Application for Change/Transfer Drought Permit with Attachments

THESE ARE TRANSMITTED AS CHECKED BELOW:

X	For approval		Approved as submitted		Resubmit ____ copies for approval
	For your use		Approved as noted		Submit ____ copies for distribution
	As requested		Returned for corrections		Return ____ corrected prints
	For your information		Signature _____		
	For review and comment		For bids due: _____		Prints returned after loan to us _____

REMARKS:

COPY TO:	Pat Olson and Herb Gardner; File;kj	SIGNED:	Karen Kornher	EXT:	5438
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